

REMARKS/ARGUMENTS

I. Line numbering in claims

In the Office Action of August 13, 2004, the Examiner requested that the Applicants add line numbers to the claims, referring to it as the “preferred” format. With all due respect, the Applicants are unable to identify the source of this requirement. The Applicants respectfully request that the Examiner cite the relevant portion of the MPEP, CFR or O.G. that sets forth this requirement. The Applicants do not wish to submit a non-compliant amendment, and would be happy to correct the amendment once the Examiner identifies the basis for this requirement. The Applicant’s attorney has made every effort to keep abreast of the most recent rule changes, and apologizes in advance if this new requirement has been published and has been overlooked.

II. Rejection Under § 112

Claim 4 was rejected because, according to the Office Action, it does not clearly indicate whether “a radio channel access network” is the same as the “radio channel access network” recited in claim 1. The Applicants respectfully traverse this rejection.

The “radio channel access network” in claim 4 may be the “radio channel access network” of claim 1, or it may be some other “radio channel access network.” This concept is clearly communicated through the use of the indefinite article “a.” Therefore, the Applicants believe that claim 4 is not indefinite.

As noted in several places in the application, the embodiments described in the present application include a mobile, on-board network system that is capable of moving from one network to another network. Changing the language of claim 4 to “the radio channel access network” would unduly restrict the scope of claim 4. Thus, the Applicants respectfully request that this rejection be withdrawn.

III. Rejections Under § 103(a)

The Office Action rejected claims 1-5 as being no more than an obvious modification of Clark (WO 98/12832). In the Office Action, the Examiner acknowledges that Clark does

In re Application of: Mereau et al.
Application No. 09/743,153
Preliminary Amendment

not teach a router managing a local network, but indicates that it would have been obvious to include a router managing a local network. The Applicants respectfully disagree. However, to expedite allowance of the application, the Applicants have amended claims 1 and 5 to more clearly recite the function of the router within the context of present invention. For example, claim 1 now requires a router that performs steps comprising:

managing a local network to which are connected at least one server and at least one work station fitted with their peripheral elements, and further managing call processing functions and data transmission to the information system, thereby enabling information messages to be created, sent, received and read, during displacement of said on-board network system, from one physical access point to another one

Similarly, claim 5 requires a router that performs steps comprising:

managing a local network to which are connected at least one server and at least one work station fitted with their peripheral elements thereby enabling information messages to be created, sent, received and read, on-board network system, from one physical access point to another one

The on-board system of Clark does not include any router. Thus, the workstations 104 (see FIG. 1 of Clark) need to be reconfigured, every time the on-board system moves from a first area covered by the network access 101A, to a second area covered by another network access 102A. Therefore, the system of Clark does not permit data communication while the van 103 is moving. Indeed, as stated on page 7, lines 14-18 of Clark “In one embodiment, the mobile hub station only transfers data from a stationary position.” (underlining added). This quotation teaches away from having a router in the on-board system that performs the steps recited in the amended claims.

In another example of how Clark teaches away from the amended claims, Clark teaches that call processing functions and data transmission to the telco network is performed in the fixed radio frequency access points 101A and 102A (see FIG. 1, Out of Band Management 105-106 and Telco access), not in the mobile vehicle 103. Thus, even in view of the “Official Notice,” which only addresses the use of routers in general, claims 1-5 as amended are allowable over Clark.

In re Application of: Mereau et al.
Application No. 09/743,153
Preliminary Amendment

Because Clark teaches away from the use of a router in the on-board system that performs the claimed steps, claims 1-5 are not obvious over Clark in view of the "Official Notice." The Applicants therefore respectfully request that the rejection be withdrawn.

IV. Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



Richard A. Wulff, Reg. No. 42,238
GARDNER CARTON & DOUGLAS LLP
191 N. Wacker Drive, Suite 3700
Chicago, Illinois 60606-1698
(312) 569-1000 (telephone)
(312) 569-3000 (facsimile)
Customer No.: 08968

Date: February 9, 2005

CH02/22367581.1



EXPRESS MAILING CERTIFICATE UNDER 37 CFR § 1.10

Date of Deposit: February 9, 2005

"Express Mail" Mailing Number: EU905116827US

I hereby certify that the attached correspondence, including any documents or materials referred to thereon as enclosures or attachments, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to:

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Title: MOBILE NETWORK SYSTEM FOR TEMPORARY CONNECTION TO A FIXED INFORMATION SYSTEM

Applicant(s): Mereau et al.

Application No.: 09/743,153

Filing Date: July 9, 2001

Enclosed:

1. Request for Continued Examination (RCE) Transmittal (2 pgs) and duplicate thereof (2 pgs)
2. Preliminary Amendment (7 pgs)
3. Authorization to Charge Deposit Account in the amount of \$1,810.00
4. Return postcard

Barbara Van Dyke
Typed or Printed Name

Barbara Van Dyke
Signature

Attorney Docket No. P1874US
Client No. 084526-1874

CH02/ 22367592.1